

**REMARKS**

Claims 1 – 5, 10 – 18, 23 – 26, 29 and 30 are pending in the present application. Claims 6 – 9 and 19 – 22 were previously canceled, and claims 27 and 28 are canceled by the present amendment. Reconsideration of the application is respectfully requested.

In section 2 of the Office Action, claims 1 – 5, 10 – 18 and 23 – 29 are rejected under 35 U.S.C. 101, as being directed toward non-statutory subject matter. Applicants are addressing this rejection in the following several paragraphs.

The Office Action indicates that claims 27 and 29 are rejected under 35 U.S.C. 101 because they are for a computer program that does not define any structural or functional relationships between the computer program and other claimed elements of a computer. Applicants are canceling claim 27, and amending claim 29 to clarify that the program controls a processor. Thus, claim 29 provides for a functional relationship between the program and the processor.

The Office Action indicates that claims 27 – 29 are rejected because they are for computer readable medium, but that the specification states that the computer readable medium includes a signal, and therefore, the claims are non-statutory. Applicants are canceling claims 27 and 28, and amending the specification to clarify that the aforementioned signal is for transmitting the program from the recording medium to the computer. Thus, the specification does not state that a signal is a form of computer readable medium, and therefore, the computer readable medium of claim 29 is directed toward statutory subject matter.

The Office Action indicates that claims 1 – 5, 10 – 18 and 23 – 26 are rejected because they claim either an apparatus for processing data records, or a method for processing data records, that manipulate data using software. Applicants are traversing this rejection.

Applicant do not believe that a manipulation of data using software characterizes subject matter as being non-statutory under 35 U.S.C. 101. Instead, Applicants believe that the criterion for whether a computer-implemented invention is statutory is whether the invention yields a useful, tangible result.

Claim 1 is directed toward an apparatus for processing data records. The apparatus includes, *inter alia*, (a) a module that selects which functions from contents of type-specific function library(ies) are to be utilized in processing received data records, (b) a processor that processes received data records according to the particular functions to be performed, and (c) an output for rendering the processed data records. Applicants submit that a processed data record is a useful, tangible result. Accordingly, Applicants submit that claim 1 meets the requirement for statutory subject matter under 35 U.S.C. 101.

Claims 2 – 5 and 10 – 13 depend from claim 1. By virtue of this dependence, claims 2 – 5 and 10 – 13 also satisfy the requirement of 35 U.S.C. 101.

Claim 14 is an independent claim, directed toward a method of processing data records. The method includes, *inter alia*, (e) selecting which functions from the contents of type-specific function library(ies) are to be utilized in processing received data records, (f) processing the received data records according to the particular functions to be performed, and (g) rendering the processed data records. Applicants submit that a processed data record is a useful, tangible result. Accordingly, Applicants submit that claim 14 meets the requirement for statutory subject matter under 35 U.S.C. 101.

Claims 15 – 18 and 23 – 26 depend from claim 14. By virtue of this dependence, claims 15 – 18 and 23 – 26 also satisfy the requirement of 35 U.S.C. 101.

In view of the explanations provided above, Applicants submit that all of the pending claims satisfy the requirement of 35 U.S.C. 101. Withdrawal of the section 101 rejection is respectfully solicited.

As mentioned above, Applicants are amending claim 29 to address the rejection under 35 U.S.C. 101. The amendment is not intended to narrow the scope of any term of any claim. Therefore, the doctrine of equivalents should be available for all of the terms of all of the claims.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,



---

11/28/02  
Date

Paul D. Greeley  
Reg. No. 31,019  
Attorney for the Applicants  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford, CT 06901-2682  
Tel: 203-327-4500  
Fax: 203-327-6401